



**THE PORT AUTHORITY** OF NY & NJ

*Darrell Buchbinder, General Counsel  
New York Litigation*

November 30, 2007

**VIA ECF**

Honorable Victor Marrero  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: Frank Green v. The Port Authority of New York & New Jersey, et al.;**  
**Index No.: 07 CIV 6539**

Dear Judge Marrero:

This office represents The Port Authority of New York and New Jersey (the "Port Authority") in the above-mentioned matter. On November 14, 2007 the Port Authority was served with a summons issued by the Clerk's office of the Southern District of New York together with a complaint with a caption stating that the matter was pending in the Southern District of New York under Index No. 07 Civ. 6539. I am advised that at least some of the individually named defendants were served with identical process. Nowhere was it indicated on the summons or complaint that this matter had been transferred to the federal court in New Jersey.

An answer was prepared and filed on November 28, 2007 because this office was unsure that the action no longer existed and we were unable to reach plaintiff's counsel, despite several attempts to do so before filing the answer.

The Port Authority respectfully requests that its answer be withdrawn, since there was no jurisdiction in this Court for the summons and complaint that was served.

Respectfully submitted,

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Attorney

ML/pg

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(via regular mail)

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